

**UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

1100 East Main Street, Suite 501, Richmond, Virginia 23219

August 6, 2024

STATUS OF COUNSEL NOTICE

No. 24-4409, US v. Samuel Sweeley
8:23-cr-00381-TDC-1

TO: Samuel Sweeley

STATUS OF COUNSEL FORM & CJA 23 APPLICATION DUE: 08/16/2024

The defendant is entitled to representation by counsel on appeal. If the defendant is unable to retain counsel, the enclosed [CJA 23 application](#) must be completed and returned to qualify for appointment of counsel. Trial counsel's representational obligations extend to assisting the defendant with perfecting the appeal.

It is in the defendant's best interests to be represented by counsel to ensure that legal challenges to the district court's judgment are properly identified and presented on appeal.

The enclosed **status of counsel form** must be completed and returned to this office by the due date shown. If the defendant wishes to waive the right to be represented by counsel on appeal, the enclosed **waiver of right to counsel form** must also be completed and returned to this office by the due date shown.

Paige L. Ballard, Deputy Clerk
804-916-2702

Copies: Shabnam Aryana
Joel Crespo
Charles Lawrence Waechter
Samuel Sweeley

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

STATUS OF COUNSEL FORM

No. 24-4409, US v. Samuel Sweeley
8:23-cr-00381-TDC-1

I make the following election with respect to counsel for appeal (please check one):

1. ☐ I have filed a financial affidavit and a motion for appointment of counsel.
2. ☐ I do not desire an attorney to represent me in the above case now pending in the United States Court of Appeals.
3. ☐ I have previously qualified to proceed as an indigent in this case and request appointment of counsel.
4. ☐ I have arranged to be represented in this case by counsel whose name, address, and phone number are:

Date: _____

Signature: _____

UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

WAIVER OF RIGHT TO COUNSEL FORM

No. 24-4409, US v. Samuel Sweeley
8:23-cr-00381-TDC-1

I make the following representations regarding waiver of the right to counsel on appeal from my criminal conviction and/or sentence:

1. I understand that I have the right to appeal my conviction to the U.S. Court of Appeals for the Fourth Circuit and that I have the right to be represented by counsel on appeal.
2. I understand that it is in my best interests to be represented by counsel on appeal for full development of the issues and arguments in favor of reversing my conviction and/or sentence.
3. Notwithstanding my right to be represented by counsel on appeal, I wish to waive that right and represent myself pro se on appeal.
4. I understand that, in representing myself, I take the risk of not identifying viable issues and arguments due to lack of legal training, thereby waiving those issues on appeal.
5. I understand that I will have to do the necessary legal work on this appeal by myself, including identifying issues and arguments and filing my brief within the time limits set by the Court, and that I will need to meet these requirements even if I do not have access to legal research tools.
6. I understand that cases involving pro se litigants are generally not scheduled for oral argument, and that if the Court finds that argument is necessary for resolution of the appeal, counsel will be assigned by the court for further briefing and oral argument.
7. I understand that in waiving the assistance of counsel, I am certifying that I am competent to make this decision, that I am not under the influence of drugs or alcohol, and that I am not suffering from any mental disease or defect that would prevent me from representing myself on appeal.

Date: _____

Signature: _____